



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

Heather Lynn Anderson (15962003)
Deputy Attorney General
Richard J. Hughes Justice Complex
25 W. Market Street
P.O. Box 106
Trenton, New Jersey 08625

**Order Filed on October 3, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey**

In Re:

Case No.: 17-21818 (ABA)

ANTHONY and COLLEEN MORTELLITE,
Debtors.

In Re:

Case No.: 17-21820 (ABA)

BLUES BROTHERS, LLC,
Debtor.

Judge: Altenburg, U.S.B.J.

ORDER FIXING CLAIMS AND AMENDING CHAPTER 12 PLAN

The relief set forth on the following page, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: October 3, 2017



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Debtor: Blues Brothers

Case No.: 17-21820

Caption of Order: CONSENT ORDER

This matter having been presented to the Court by debtors Anthony and Colleen Mortellite and Blues Brothers, LLC ("debtors"), by and through its attorney, David Kasen, Esq., in agreement with the State of New Jersey, Division of Taxation ("N.J. Division"), by and through its attorney, Christopher S. Porrino, Attorney General of New Jersey (Heather Lynn Anderson, Deputy Attorney General, appearing), and good and sufficient cause appearing for the entry of the within Order;

IT IS HEREBY ORDERED THAT the N.J. Division's Priority Proof of Claim filed in Case No. 17-21818 against Anthony and Colleen Mortellite, on or about August 15, 2017, in the amount of \$10,418.16, and docketed as Claim No. 16-1, which was amended by Claim No. 16-2 on or about September 20, 2017, is hereby reduced to \$Zero; and

IT IS FURTHER ORDERED THAT the N.J. Division's Priority Proof of Claim filed in Case No. 17-21820 against Blues Brothers, LLC, on or about August 15, 2017, in the amount of \$41,480.00, and docketed as Claim No. 6-1, which was amended by Claim No. 6-2 in the amount of \$37,371.75 on or about September 20, 2017, and which was further amended by Claim No. 6-3 in the amount of \$1,371.75 on or about September 25, 2017, is hereby allowed in the amount of \$1,371.75; and

IT IS FURTHER ORDERED Debtor Blues Brothers, LLC's Chapter 12 Plan is hereby amended to require payment of the N.J. Division's Priority Claim in the amount of \$1,371.75, in full on the Effective Date; and

IT IS FURTHER ORDERED THAT the following default language shall apply to the Debtor Blues Brothers, LLC's Chapter 12 Plan:

Retained Jurisdiction and Enforcement Remedies for Tax Claimants: Notwithstanding anything in this plan to the contrary, the Bankruptcy Court shall not retain jurisdiction with respect to tax claims except for (i) resolving the amount any tax claims arising prior to confirmation, and (ii) enforcing the discharge provisions of the confirmed plan. A failure by the reorganized debtor to make a payment to holders of tax claims pursuant to the terms of the plan shall be an event of default. If the reorganized debtor fails to cure an event of default as to Plan payments on the tax claims within thirty days after receipt of written notice of default from a tax claimant, then the tax claimant may (a) enforce the entire amount of its claim; (b) exercise any and all rights and remedies such tax claimant may have under applicable nonbankruptcy

Page 3

Debtors: Blues Brothers

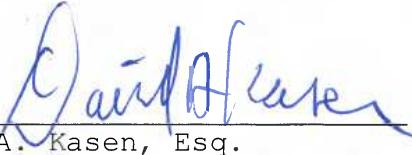
Case No.: 17-21820

Caption of Order: CONSENT ORDER

law; and/or (c) seek such relief as may be appropriate in this Court.

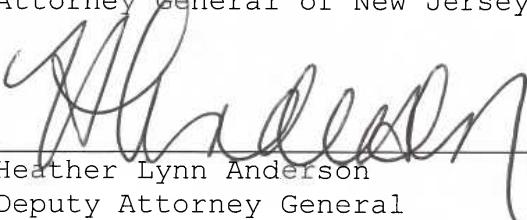
CONSENTED AS TO FORM AND ENTRY:

KASEN & KASEN, P.C.
Attorneys for Debtors



David A. Kasen, Esq.

CHRISTOPHER S. PORRINO
Attorney General of New Jersey



Heather Lynn Anderson
Deputy Attorney General

In re:
Anthony M Mortellite, Jr
Colleen T Mortellite
Debtors

Case No. 17-21818-ABA
Chapter 12

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 03, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 05, 2017.

db/jdb +Anthony M Mortellite, Jr, Colleen T Mortellite, 564 11th St., Hammonton, NJ 08037-8468

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 05, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 3, 2017 at the address(es) listed below:

Andrea Dobin on behalf of Trustee Andrea Dobin adobin@trenklawfirm.com
Andrea Dobin ecftrusteead@trenklawfirm.com, NJ55@ecfcbis.com
CheryllLynn Walters on behalf of Creditor Township of Winslow cwalters@prlawoffice.com
David A. Kasen on behalf of Joint Debtor Colleen T Mortellite dkasen@kasenlaw.com
David A. Kasen on behalf of Unknown Role Type Blues Brothers, LLC dkasen@kasenlaw.com
David A. Kasen on behalf of Debtor Anthony M Mortellite, Jr dkasen@kasenlaw.com
David A. Kasen on behalf of Debtor Blues Brothers, LLC dkasen@kasenlaw.com
Denise E. Carlon on behalf of Creditor Kubota Credit Corporation dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Eamonn O'Hagan on behalf of Creditor United States Department of Agriculture - Farm Service Agency eamonn.ohagan@usdoj.gov
Erin Darden on behalf of Creditor United States of America erin.darden@usdoj.gov
Heather Lynn Anderson on behalf of Creditor State Of New Jersey Division Of Taxation heather.anderson@law.dol.lps.state.nj.us
Jenny R. Kasen on behalf of Debtor Anthony M Mortellite, Jr jkasen@kasenlaw.com, dkasen@kasenlaw.com
Jenny R. Kasen on behalf of Joint Debtor Colleen T Mortellite jkasen@kasenlaw.com, dkasen@kasenlaw.com
Jenny R. Kasen on behalf of Debtor Blues Brothers, LLC jkasen@kasenlaw.com, dkasen@kasenlaw.com
John E. Corbett on behalf of Creditor Lance Henry jecorbett@corbettlaw.net
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Joseph A McCormick, Jr. on behalf of Creditor Deere & Company jmccormick@mccormicknjlaw.com, karen@mccormicknjlaw.com;Lorraine@mccormicknjlaw.com;Kathleen@mccormicknjlaw.com;Karen@mccormickknjlaw.com
Marshall T. Kizner on behalf of Creditor Farm Credit East, ACA mkizner@stark-stark.com
Ross J. Switkes on behalf of Trustee Andrea Dobin rswitkes@trenklawfirm.com
Timothy P. Duggan on behalf of Creditor Farm Credit East, ACA tduggan@stark-stark.com
U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov
Walter F. Gavigan, Jr. on behalf of Creditor Lee Rain, Inc. wgavigan@grucciopepper.com, jlynch@grucciopepper.com;r53898@notify.bestcase.com
William E. Craig on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services mortoncraigecf@gmail.com, mortoncraigecf@gmail.com

TOTAL: 24